

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                ) 8:01cr163  
Plaintiff,                 )  
                               ) MEMORANDUM AND ORDER  
vs.                         )  
                               )  
ROBERT E. WATKINS,        )  
                               )  
Defendant.                 )

By this Order I acknowledge receipt of a letter dated October 31, 2005, from the defendant, Robert E. Watkins, to the Clerk of Court regarding Exhibits No.101, 102 and 103 from the defendant's criminal jury trial in this case. In the letter, Mr. Watkins refers to previous correspondence in which a Deputy Clerk of Court informed him that the exhibits were no longer in the court's possession. The Deputy Clerk was correct. The exhibits are not in the court's possession, and the court does not even have copies of the exhibits.

The Clerk of Court shall send the plaintiff copies of the following documents:

1.     A docket sheet for the above-referenced case;
2.     A copy of filing no. 157, the Memorandum and Order of May 7, 2003 in this case, in which District Judge Thomas M. Shanahan set forth the court's policy requiring the withdrawal of exhibits from the court's possession after a verdict has been rendered;
3.     A copy of filing no. 158, the Receipt for Exhibits, in which Michael P. Norris, the attorney for the United States, acknowledged receipt of the plaintiff's trial Exhibits No. 1 - 24; 30 - 31; 104 -105;

4. A copy of filing no. 159, the Receipt for Exhibits, in which Russ Bowie, the attorney for the defendant, acknowledged receipt of the defendant's trial Exhibits No. 101 and 102; and

5. A copy of filing no. 151, the List of Exhibits, which shows on page 3 that Exhibit No. 103 was not offered or received into evidence during the trial of this matter.

Because the requested items are not in the court's possession, the court cannot assist the defendant. Therefore, beyond providing the records listed above, no further action will be taken in this matter.

SO ORDERED.

November 16, 2005.

BY THE COURT:

*/s Richard G. Kopf*  
United States District Judge